

## LISTING OF THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in this application. Added text is indicated by underlining, and deleted text is indicated by ~~striketrough~~. Changes are identified by a vertical bar in the margin.

1. (Currently Amended) A method of managing the transfer of content to a user device that is communicatively linked to a computer network, comprising:
  - obtaining user device information descriptive of a configuration of the user device;
  - determining capabilities of the user device to download content over the network and to process content received over the network based upon the user device information;
  - automatically selecting a service level that is selected from among a plurality of predefined service levels and is determined to be available to the user device for transferring content thereto based upon the determined capabilities of the user device, wherein a the selected service level is associated with one or more characteristics of content for transfer to the user device.
2. (Original) A method as defined in claim 1, additionally comprising:
  - receiving a request to transfer content to the user device over the computer network; and
  - causing content to be transferred to the user device over the network according to the selected service level.
3. (Original) A method as defined in claim 1, wherein a service level is also associated with one or more characteristics of the manner in which content is

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transferred to the user device over the network.

4. (Original) A method as defined in claim 1, additionally comprising:  
identifying a list of content that can be transferred to the user device based upon the determined capabilities of the user device;  
causing the list of content to be displayed at the user device.
5. (Original) A method as defined in claim 1, wherein the user device information includes the amount of data that can be transmitted to the user device in a given amount of time over the network.
6. (Original) A method as defined in claim 1, wherein the user device information includes the latency of the user device with respect to a content provider device on the computer network.
7. (Original) A method as defined in claim 1, wherein the user device information includes the amount of data storage capacity available to the user device.
8. (Original) A method as defined in claim 1, wherein the one or more characteristics of content associated with a service level includes the size of the content.
9. (Original) A method as defined in claim 1, wherein the one or more characteristics of content includes whether the content includes graphic files.
10. (Original) A method as defined in claim 1, wherein the one or more characteristics of content includes whether the content is an executable file.

11. (Original) A method as defined in claim 3, wherein the manner in which the content is transferred to the user device comprises streaming the content to the user device.

12. (Original) A method as defined in claim 1, wherein a first service level has a corresponding minimum capabilities requirement, and further comprising selecting a first service level for the user device only if the capabilities of the user device meet the minimum capabilities requirements.

13. (Currently Amended) A method as defined in claim 12, wherein, if the capabilities of the user device do not meet the minimum capabilities requirement of the user device, first service level, determining an upgrade that could provide a different service level, and notifying the user device ~~that the minimum capabilities requirements are not met~~ of the upgrade.

14. (Original) A method as defined in claim 13, additionally comprising notifying the user device of changes that may be made to the configuration of the user device in order to upgrade the capabilities of the user device.

15. (Original) A method as defined in claim 14, additionally comprising sending one or more advertisements to the user device regarding changes that may be made to the configuration of the user device.

16. (Currently Amended) A method of managing the transfer of content to a user device that is communicatively linked to a computer network, comprising:

obtaining user device information descriptive of a configuration of the user device;

identifying one or more service levels that may govern the transfer of content to

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the user device, wherein each service level is associated with one or more characteristics of content available for transfer to the user device and the manner in which content is transferred to the user device over the network, each service level being further associated with minimum requirements relating to the configuration of the user device;

making available at least one of the service levels to the user device for governing the transfer of content to the user device;

automatically selecting ~~a service level~~ one of the identified service levels to govern the transfer of content to the user device based upon the user device information.

17. (Original) A method as defined in claim 16, further comprising:

receiving a request to transfer content to the user device over the computer network;

causing content to be transmitted to the user device according to the selected service level.

18. (Original) A method as defined in claim 16, additionally comprising:

making a service level available to the user device only if the configuration of the user device meets the minimum requirements for the service level.

19. (Original) A method as defined in claim 16, wherein at least one of the service levels is made unavailable to the user device because the configuration of the user device does not meet the requirements of the service level.

20. (Original) A method as defined in claim 19 additionally comprising providing information to the user device regarding the unavailable service level.

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21. (Original) A method as defined in claim 20, additionally comprising notifying the user device of changes that may be made to the configuration of the user device in order to meet the minimum requirements of the unavailable service level.

22. (Original) A method as defined in claim 21, additionally comprising sending one or more advertisements to the user device regarding changes that may be made to the configuration of the user device.

23. (Original) A method as defined in claim 16, wherein the user device information includes the amount of data that can be transmitted to the user device in a given amount of time over the network.

24. (Original) A method as defined in claim 16, wherein the user device information includes the latency of the user device with respect to a content provider device on the computer network.

25. (Original) A method as defined in claim 16, wherein the user device information includes the amount of data storage capacity available to the user device.

26. (Original) A method as defined in claim 16, wherein the one or more characteristics of content includes the size of the content.

27. (Original) A method as defined in claim 16, wherein the one or more characteristics of content includes whether the content comprises graphic files.

28. (Original) A method as defined in claim 16, wherein the one or more characteristics of content includes whether the content is an executable file.

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29. (Original) A method as defined in claim 16, wherein the manner in which the content is transferred to the user device comprises streaming the content to the user device.

30. (Currently Amended) A program product including a recording medium that stores a program readable and executable by an information processing system to cause the information processing system to perform processing that manages the transfer of content to a user device that is communicatively linked to a computer network, the program including instructions for causing the information processing system to execute:

- a first process comprising obtaining user device information descriptive of a configuration of the user device;

- a second process comprising, determining capabilities of the user device to download content over the network and to process content received over the network based upon the user device information;

- a third process comprising, automatically selecting a service level that is selected from among a plurality of predefined service levels and is determined to be available to the user device for transferring content thereto based upon the determined capabilities of the user device, wherein a the selected service level is associated with one or more characteristics of content for transfer to the user device.

31. (Original) The program product of claim 30, the program further including instructions for causing the information processing system to execute a processes comprising:

- receiving a request to transfer content to the user device over the computer network;

- causing content to be transferred to the user device over the network according to the selected service level.

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32. (Original) The program product of claim 30, wherein a service level is also associated with one or more characteristics of the manner in which content is transferred to the user device over the network.

33. (Original) The program product of claim 30, wherein the user device information includes the amount of data that can be transmitted to the user device in a given amount of time over the network.

34. (Original) The program product of claim 30 wherein the user device information includes the latency of the user device with respect to a content provider device on the computer network.

35. (Original) The program product of claim 30, wherein the user device information includes the amount of data storage capacity available to the user device.

36. (Original) The program product of claim 30, wherein the one or more characteristics of content associated with a service level includes the size of the content.

37. (Original) The program product of claim 30, wherein the one or more characteristics of content includes whether the content includes graphic files.

38. (Original) The program product of claim 30, wherein the one or more characteristics of content includes whether the content is an executable file.

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39. (Original) The program product of claim 32, wherein the manner in which the content is transferred to the user device comprises streaming the content to the user device.

40. (Original) The program product of claim 30, wherein a first service level has a corresponding minimum capabilities requirement, and wherein the program further includes instructions for causing the information processing system to execute a process comprising selecting a first service level for the user device only if the capabilities of the user device meet the minimum capabilities requirements.

41. (Currently Amended) The program product of claim 40, the program further including instructions for causing the information processing system to execute a process comprising, if the capabilities of the user device do not meet the minimum capabilities requirement of the user device, first service level, determining an upgrade that could provide a different service level, and notifying the user device that the minimum capabilities requirements are not met of the upgrade.

42. (Original) The program product of claim 41, the program further including instructions for causing the information processing system to execute a process comprising notifying the user device of changes that may be made to the configuration of the user device in order to upgrade the capabilities of the user device.

43. (Original) The program product of claim 42, the program further including instructions for causing the information processing system to execute a process comprising sending one or more advertisements to the user device regarding changes that may be made to the configuration of the user device.

44. (Currently Amended) A program product that includes a recording medium that



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stores a program readable and executable by an information processing system to cause the information processing system to manage the transfer of content to a user device that is communicatively linked to a computer network, the program including instructions for causing the information processing system to execute:

a first process comprising obtaining user device information descriptive of a configuration of the user device;

a second process comprising identifying one or more service levels that may govern the transfer of content to the user device, wherein each service level is associated with one or more characteristics of content available for transfer to the user device and the manner in which content is transferred to the user device over the network, each service level being further associated with minimum requirements relating to the configuration of the user device;

a third process comprising making available at least one of the service levels to the user device for governing the transfer of content to the user device;

a fourth process comprising, automatically selecting a service level one of the identified service levels to govern the transfer of content to the user device based upon the user device information.

45. (Original) The program product of claim 44, the program further including instructions for causing the information processing system to execute a process comprising:

receiving a request to transfer content to the user device over the computer network;

causing content to be transmitted to the user device according to the selected service level.

46. (Original) The program product of claim 44, the program further including instructions for causing the information processing system to execute a process

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comprising:

making a service level available to the user device only if the configuration of the user device meets the minimum requirements for the service level.

47. (Original) The program product of claim 44, wherein at least one of the service levels is made unavailable to the user device because the configuration of the user device does not meet the requirements of the service level.

48. (Original) The program product of claim 47, the program further including instructions for causing the information processing system to execute a process comprising providing information to the user device regarding the unavailable service level.

49. (Original) The program product of claim 48, the program further including instructions for causing the information processing system to execute a process comprising notifying the user device of changes that may be made to the configuration of the user device in order to meet the minimum requirements of the unavailable service level.

50. (Original) The program product of claim 49, the program further including instructions for causing the information processing system to execute a process comprising sending one or more advertisements to the user device regarding changes that may be made to the configuration of the user device.

51. (Original) The program product of claim 44, wherein the user device information includes the amount of data that can be transmitted to the user device in a given amount of time over the network.

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52. (Original) The program product of claim 44, wherein the user device information includes the latency of the user device with respect to a content provider device on the computer network.

53. (Original) The program product of claim 44, wherein the user device information includes the amount of data storage capacity available to the user device.

54. (Original) The program product of claim 44, wherein the one or more characteristics of content includes the size of the content.

55. (Original) The program product of claim 44, wherein the one or more characteristics of content includes whether the content comprises graphic files.

56. (Original) The program product of claim 44, wherein the one or more characteristics of content includes whether the content is an executable file.

57. (Original) The program product of claim 44, wherein the manner in which the content is transferred to the user device comprises streaming the content to the user device.

58. (Currently Amended) An information processing system comprised of an ~~information processor~~ one or more information processors configured to execute program instructions that cause the information processing system to implement one or more processes for managing the transfer of content to a user device that is communicatively linked to a computer network, the processes comprising:

    a first process comprising obtaining user device information descriptive of a configuration of the user device;

    a second process comprising, determining capabilities of the user device to

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download content over the network and to process content received over the network based upon the user device information;

a third process comprising, automatically selecting a service level that is selected from among a plurality of predefined service levels and is determined to be available to the user device for transferring content thereto based upon the determined capabilities of the user device, wherein a the selected service level is associated with one or more characteristics of content for transfer to the user device.

59. (Original) The information processing system of claim 58, wherein the processes further include processes comprised of:

receiving a request to transfer content to the user device over the computer network; and

transferring content to the user device over the network according to the selected service level.

60. (Original) The information processing system of claim 58, wherein a service level is associated with one or more characteristics of the manner in which content is transferred to the user device over the network.

61. (Original) The information processing system of claim 58, wherein the user device information includes the amount of data that can be transmitted to the user device in a given amount of time over the network.

62. (Original) The information processing system of claim 58, wherein the user device information includes the latency of the user device with respect to a content provider device on the computer network.

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63. (Original) The information processing system of claim 58, wherein the user device information includes the amount of data storage capacity available to the user device.

64. (Original) The information processing system of claim 58, wherein the one or more characteristics of content associated with a service level includes the size of the content.

65. (Original) The information processing system of claim 58, wherein the one or more characteristics of content includes whether the content includes graphic files.

66. (Original) The information processing system of claim 58, wherein the one or more characteristics of content includes whether the content is an executable file.

67. (Original) The information processing system of claim 60, wherein the manner in which the content is transferred to the user device comprises streaming the content to the user device.

68. (Original) The information processing system of claim 58, wherein a first service level has a corresponding minimum capabilities requirement, and wherein the processes further include a process comprised of selecting a first service level for the user device only if the capabilities of the user device meet the minimum capabilities requirements.

69. (Currently Amended) The information processing system of claim 68, wherein the processes further include a process comprised of, if the capabilities of the user device do not meet the minimum capabilities requirement of the user device, first service level, determining an upgrade that could provide a different service level, and

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notifying the user device ~~that the minimum capabilities requirements are not met~~ of the upgrade.

70. (Original) The information processing system of claim 69, wherein the processes further include a process comprised of notifying the user device of changes that may be made to the configuration of the user device in order to upgrade the capabilities of the user device.

71. (Original) The information processing system of claim 70, wherein the processes further include a process comprised of sending one or more advertisements to the user device regarding changes that may be made to the configuration of the user device.

72. (Currently Amended) An information processing system comprised of an ~~information processor~~ one or more information processors configured to execute program instructions that cause the information processing system to implement one or more processes for managing the transfer of content to a user device that is communicatively linked to a computer network, the processes comprising:

a first process comprising obtaining user device information descriptive of a configuration of the user device;

a second process comprising identifying one or more service levels that may govern the transfer of content to the user device, wherein each service level is associated with one or more characteristics of content available for transfer to the user device and the manner in which content is transferred to the user device over the network, each service level being further associated with minimum requirements relating to the configuration of the user device;

a third process comprising making available at least one of the service levels to the user device for governing the transfer of content to the user device;

a fourth process comprising, automatically selecting a service level one of the

identified service levels to govern the transfer of content to the user device based upon the user device information.

73. (Original) The information processing system of claim 72, wherein the processes further include a process comprised of:  
receiving a request to transfer content to the user device over the computer network;  
causing content to be transmitted to the user device according to the selected service level.

74. (Original) The information processing system of claim 72, wherein the processes further include a process comprised:  
making a service level available to the user device only if the configuration of the user device meets the minimum requirements for the service level.

75. (Original) The information processing system of claim 72, wherein at least one of the service levels is made unavailable to the user device because the configuration of the user device does not meet the requirements of the service level.

76. (Original) The information processing system of claim 75, wherein the processes further include a process comprised of providing information to the user device regarding the unavailable service level.

77. (Original) The information processing system of claim 76, wherein the processes further include a process comprised of notifying the user device of changes that may be made to the configuration of the user device in order to meet the minimum requirements of the unavailable service level.

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78. (Original) The information processing system of claim 77, wherein the processes further include a process comprised of sending one or more advertisements to the user device regarding changes that may be made to the configuration of the user device.

79. (Original) The information processing system of claim 72, wherein the user device information includes the amount of data that can be transmitted to the user device in a given amount of time over the network.

80. (Original) The information processing system of claim 72, wherein the user device information includes the latency of the user device with respect to a content provider device on the computer network.

81. (Original) The information processing system of claim 72, wherein the user device information includes the amount of data storage capacity available to the user device.

82. (Original) The information processing system of claim 72, wherein the one or more characteristics of content includes the size of the content.

83. (Original) The information processing system of claim 72, wherein the one or more characteristics of content includes whether the content comprises graphic files.

84. (Original) The information processing system of claim 72, wherein the one or more characteristics of content includes whether the content is an executable file.

85. (Original) The information processing system of claim 72, wherein the manner in which the content is transferred to the user device comprises streaming the content to the user device.



86. (New) A method as defined in claim 1, wherein selecting a service level is performed at a network service manager device independent of a network provider from which the content is transferred.

87. (New) A method as defined in claim 16, wherein selecting a service level is performed at a network service manager device independent of a network provider from which the content is transferred.

88. (New) The information processing system of claim 58, wherein the third process of selecting a service level is performed at a network service manager device independent of a network provider from which the content is transferred.

89. (New) The information processing system of claim 72, wherein the fourth process of selecting a service level is performed at a network service manager device independent of a network provider from which the content is transferred.